

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

James R. Bartholomew, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

MORGAN STANLEY AND MORGAN  
STANLEY & CO., INC,

Defendants.

No. 08-cv-4910 (AKH)

ECF Case

**MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the  
Southern and Eastern Districts of New York, I, FRANK R. SCHIRIPA, a member in good standing of  
the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

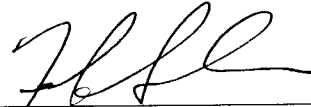
Michael G. McLellan, Esq.  
Finkelstein Thompson, LLP  
1050 30<sup>th</sup> Street, NW  
Washington, D.C. 20007  
Tel.: 202-337-8000  
Fax: 202-337-8090

Michael G. McLellan is a member in good standing of the Bar of the District of Columbia. There  
are no pending disciplinary proceedings against Michael G. McLellan in any State or Federal court.

Dated: New York, New York  
June 10, 2008

Respectfully submitted,

**SCHOENGOLD SPORN LAITMAN &  
LOMETTI, P.C.**

  
Frank R. Schiripa (FS-1960)  
19 Fulton Street, Suite 406  
New York, New York 10038  
Telephone: (212) 964-0046  
Facsimile (212) 267-8137

*Attorneys for Plaintiffs in  
Kassover, et al. v. UBS AG, et al.*

Of Counsel:

**FINKELSTEIN THOMPSON, LLP**

Burton H. Finkelstein, Esq.  
Donald J. Enright, Esq.  
Michael G. McLellen, Esq.  
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*Attorneys for Plaintiffs Rita Tubis  
and Helena Tubis, Named Plaintiffs  
in Kassover, et al. v. UBS AG, et al.*



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

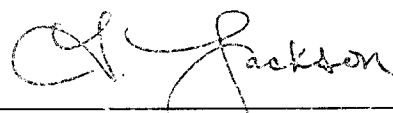
MICHAEL G. MCLELLAN

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was on the 4<sup>TH</sup> day of OCTOBER, 2004  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on June 2,  
2008.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk

SCANNED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
James R. Bartholomew, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

MORGAN STANLEY AND MORGAN  
STANLEY & CO., INC,

Defendants.  
-----X

No. 08-cv-4910 (AKH)

ECF Case

**DECLARATION OF FRANK  
R. SCHIRRIPA IN SUPPORT OF  
MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

FRANK R. SCHIRRIPA, being duly sworn, hereby deposes and says as follows:

1. I am associated with the law firm of Schoengold Sporn Laitman & Lometti, P.C., counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Michael G. McLellan as counsel pro hac vice to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in March, 2003. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Michael G. McLellan since March 2008.

4. Mr. McLellan is an associate attorney with Finkelstein Thompson, LPP in Washington, D.C.

5. I have found Mr. McLellan to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Michael G. McLellan, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Michael G. McLellan, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Michael G. McLellan, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

I hereby declare under the laws of the United States, and under the penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information and belief.

Date: June 10, 2008

  
\_\_\_\_\_  
Frank R. Schirripa

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

James R. Bartholomew, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

MORGAN STANLEY AND MORGAN  
STANLEY & CO., INC.

Defendants.

No. 08-cv-4910 (AKH)

ECF Case

## PROPOSED ORDER TO ADMIT COUNSEL PRO HAC VICE

Upon the motion of attorney for and said sponsor attorney's affidavit in support; **IT IS HEREBY ORDERED** that

Michael G. McLellan, Esq.  
Finkelstein Thompson, LLP  
1050 30<sup>th</sup> Street, NW  
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Email: [mmclellan@finkelsteinthompson.com](mailto:mmclellan@finkelsteinthompson.com)

is admitted to practice pro hac vice as counsel for in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: New York, New York

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X		
James R. Bartholomew, on behalf of himself	:	No. 08-cv-4910 (AKH)
and all others similarly situated,	:	
	:	ECF Case
Plaintiff,	:	
	:	
v.	:	<b>CERTIFICATE OF SERVICE</b>
	:	
MORGAN STANLEY AND MORGAN	:	
STANLEY & CO., INC,	:	
	:	
Defendants.	:	
-----X		

I, Frank R. Schirripa, Esq., one of the counsel for Plaintiffs in the above-referenced action, hereby certify that on June 10, 2008, I sent by first-class mail a true and correct copy of Plaintiffs' Motion to Admit Michael G. McLellan Pro Hac Vice with the requisite supporting documents to the following counsel listed below:

**CADWALADER, WICKERSHAM & TAFT LLP**

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Fax: (212) 504-6666

*Attorneys for Defendants Morgan Stanley  
And Morgan Stanley & Co., Inc.*

**FINKELSTEIN THOMPSON, LLP**

Burton H. Finkelstein, Esq.

Donald J. Enright, Esq.

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Frank R. Schirripa